

**MINUTES OF THE STANDING COMMITTEE
ON COMMERCE**

Thursday, June 30, 2005

8:30 a.m.

Room 519, House Office Building

Chair Huizenga called the Standing Committee on Commerce to order.

MEMBERS PRESENT: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett, McConico (18/19)

MEMBERS ABSENT/EXCUSED: Rep. Accavitti (1/19)

Chair Huizenga announced the formation of the **Subcommittee on Business Regulation**, and appointed the following members to serve on the subcommittee:

Representative Baxter, Chair

Representative Hildenbrand

Representative Palsrok

Representative Murphy

Representative Tobocman

The **Chair** laid **House Bill 5005** before the committee.

HB 5005 Huizenga State; funds; the 21st century jobs fund authority; create.

Matt Hanley, representing the Michigan Bankers Association, testified on the bill and answered questions.

Jay Rising, Michigan State Treasurer, submitted a testimony card in **support** of the **concept** of the bill, but did not wish to speak.

Chair Huizenga announced that the committee would go at ease, the time being **9:05 a.m.**

The **Chair** called the committee to order, the time being **9:15 a.m.**

Representative McConico explained the intent of a proposed amendment to the bill.

Representative McConico, supported by **Representative Palsrok**, moved to adopt the following amendment to **House Bill 5005**:

1. Amend page 4, line 6, after “shall” by striking out the balance of the subsection and inserting “fund 21st century investments in the same manner as described in section 11(5).”.

FAVORABLE ROLL CALL:

YEAS: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett, McConico (17/19)

NAYS: None (0/19)

PASS: None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Tobocman explained the intent of a proposed amendment to the bill.

Representative Tobocman, supported by **Representative Jones**, moved to adopt the following amendment to **House Bill 5005**:

1. Amend page 9, line 9, after “investment,” by inserting “acquisition of intellectual property or technology,”.

FAVORABLE ROLL CALL:

YEAS: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett, McConico (17/19)

NAYS: None (0/19)

PASS: None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Bennett explained the intent of a proposed amendment to the bill.

Representative Bennett, supported by **Representative Jones**, moved to adopt the following amendment to **House Bill 5005**:

1. Amend page 13, line 17, after “(4)” by striking out the balance of the subsection and inserting “The board shall not expend over the life of the fund more than 10% of the initial amount allocated to the fund for marketing costs described in section 10 (i), administrative costs, and all other costs described in this act.”.

FAVORABLE ROLL CALL:

YEAS: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett, McConico (18/19)

NAYS: None (0/19)

PASS: None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Murphy explained the intent of a proposed amendment to the bill.

Representative Murphy, supported by **Representative Palsrok**, moved to adopt the following amendment to **House Bill 5005**:

1. Amend page 13, following line 8, by inserting:

“(i) To develop and fund a marketing program for the purpose of promoting business and market development for any business activity for which programs are available under this act.”.

FAVORABLE ROLL CALL:

YEAS: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett, McConico (18/19)

NAYS: None (0/19)

PASS: None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Meisner explained the intent of proposed amendments to the bill.

Representative Meisner, supported by **Representative Marleau**, moved to adopt the following amendments to **House Bill 5005**:

1. Amend page 13, line 19, after “(5)” by striking out “For” and inserting “Except as otherwise provided in subsection (6), for”.

2. Amend page 13, following line 27, by inserting:

“(6) If a court of competent jurisdiction in a final decision determines that an allocation to a program described under subsection (5) is unconstitutional, the board shall reallocate the funds to the remaining programs under subsection (5) on a pro rata basis.”.

FAVORABLE ROLL CALL:

YEAS: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett, McConico (18/19)

NAYS: None (0/19)

PASS: None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Meisner, supported by **Representative Baxter**, moved to report **House Bill 5005**, with recommendation, as **Substitute (H-1)**.

FAVORABLE ROLL CALL:

YEAS: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett, McConico (18/19)

NAYS: None (0/19)

PASS: None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

Representative Jones, supported by **Representative Marleau**, moved to excuse absent members. Hearing no objection, **Chair Huizenga** excused **Representative Accavitti**.

There being no further business to come before the committee, the **Chair** declared the meeting adjourned, the time being **9:23 a.m.**

Representative Bill Huizenga, Chair

Jean Hamelin, Committee Clerk
(517) 373-5632